

MINUTES OF THE MEETING OF THE
BOARD OF OPTOMETRY
June 6, 2014

ROLL CALL

The meeting of the Board of Optometry was called to order at 8:32 a.m. by Dr. Kim Baxter, Chairman, in the State Office Building, 301 Centennial Mall South, Conference Room Lower Level A, Lincoln, NE. The agenda was sent to the Board members and other interested parties prior to the meeting. The following members answered the roll call:

Kim Baxter, O.D., Chairman
Jeffrey Pape, O.D., Vice-Chairperson
Michael J. O'Hara, JD, PhD, Secretary
Robert Vandervort, O.D.

A quorum was present and the meeting convened. Also present were: Becky, Wisell, Program Manager; Vonda Apking, Health Licensing Coordinator; Suzanna Glover-Ettrich, Department Legal.

ADOPTION OF AGENDA

O'Hara moved, seconded by Pape, to adopt the agenda with the Chairman having the ability to rearrange as necessary. Voting aye: Baxter, O'Hara, Pape, Vandervort. Voting nay: none. Motion carried.

APPROVAL OF MINUTES

January 10, 2014

O'Hara moved, seconded by Vandervort, to approve the January 10, 2014, minutes as presented. Voting aye: Baxter, O'Hara, Pape, Vandervort. Voting nay: none. Motion carried.

APPLICATION REVIEW – CLOSED SESSION

Pape moved, seconded by O'Hara, to go into Closed Session, at 8:36 a.m., to review an optometrist licensure application. Voting aye: Baxter, O'Hara, Pape, Vandervort. Voting nay: none. Motion carried.

Vandervort recused himself at 8:36 a.m.

O'Hara moved, seconded by Pape, to return to Open Session at 8:53 a.m. Voting aye: Baxter, O'Hara, Pape. Voting nay: none. Absent: Vandervort. Motion carried.

Vandervort rejoined the meeting at 8:54 a.m.

APPLICATION REVIEW – OPEN SESSION

Reinstatement After Discipline

Christopher Fornoff appeared before the Board. The Board asked whether or not he had had any other issues other than Nebraska. Dr. Fornoff commented that he had not had any other issues other than the Nebraska discipline.

Pape moved, seconded by O'Hara, to recommend reinstating the optometrist license of Christopher Fornoff. Voting aye: Baxter, O'Hara, Pape. Voting nay: none. Abstained: Vandervort. Motion carried.

E-Mail Ballot(s) Since Last Meeting

The Board members reviewed the optometrist application of Taylor Steger by e-mail ballot since their last meeting. The Board recommended issuing Dr. Steger an optometrist license.

IMPLEMENTATION OF LB 526 – OPTOMETRY SCOPE OF PRACTICE

The Board explained that LB 526 will be part of the existing therapeutic certification just additional medications that optometrist can use. The effective for this legislation will be July 18, 2014.

Pape suggested sending a letter to all Nebraska licensed optometrists regarding the legislative changes. Vandervort volunteered to write the letter. Pape moved, seconded by O'Hara, for Vandervort to draft a letter to all Nebraska licensed optometrists to inform them of the changes that will happen when LB 526 becomes effective. Voting aye: Baxter, O'Hara, Pape, Vandervort. Voting nay: none. Motion carried.

IDENTIFYING LAWS AND REGULATIONS FOR EDUCATIONAL TOPICS TO BE PRESENTED TO NEBRASKA OPTOMETRISTS AT A FUTURE NEBRASKA OPTOMETRIC ASSOCIATION (NOA) MEETING

Wisell will address mandatory reporting, renewal questions, and continuing education. Baxter will report on the changes in the Optometry Practice Act. Baxter and Wisell will communicate. The NOA Fall Conference is being held in Kearney on September 26-28, 2014.

DISCUSSION ON TELEMEDICINE

O'Hara explained that the Association of Regulatory Boards of Optometry (ARBO) has been discussing telemedicine and how it will effect licensure amongst each states. The current regulations include language under 172 NAC 120-006.02 item 35 that it is unprofessional conduct for an optometrist to provide treatment or consultation recommendations via electronic or other means without first obtaining a history and evaluation of the patient. Unlicensed practice should be reported to investigations.

REGULATIONS GOVERNING LICENSURE OF OPTOMETRISTS EFFECTIVE MAY 4, 2014

Wisell explained that the regulations were effective as of May 4, 2014.

OPTOMETRIST 2014 RENEWAL

Wisell explained that a letter was sent to all active licensed optometrist regarding the increase in the number of continuing education hours needed to renew by August 1, 2014.

Staff will update the Department's website and send notification to ARBO regarding the increase in continuing education hours.

SET NEXT MEETING DATE

The next Board meeting is scheduled for October 31, 2014 and the location will be determined.

ADJOURNMENT

Vandervort moved, seconded by O'Hara, to adjourn the meeting at 10:24 a.m. Voting aye: Baxter, O'Hara, Pape, Vandervort. Voting nay: none. Motion carried.

Respectfully submitted,

(Signature on file with the Department)

Michael J. O'Hara, JD, PhD, Secretary
Board of Optometry